

MINUTES OF THE HOWARD COUNTY PLANNING BOARD – September 20, 2007 P.M.

Members Present: Tammy CitaraManis, Chairperson; David Grabowski, Vice-Chair; Gary Rosenbaum; Ramsey Alexander, Jr.

Members Absent: Linda Dombrowski

DPZ Staff Present: Marsha McLaughlin; Bob Lalush; Zan Koldewey; Dave Boellner; Lisa Kenney

Pre-Meeting Minutes

The premeeting started at 6:35 p.m. with Ms. CitaraManis, Mr. Grabowski, Mr. Rosenbaum and Mr. Ramsey in attendance. The Board discussed the minutes of July 5 and July 19th. They also decided that there would not be formal minutes for worksessions as all information is included in the Decision and Orders. Ms. McLaughlin and the Board discussed a possible public forum hosted by the Board for Downtown Columbia. It was announced that SDP-07-085 would again be removed from the agenda until the file is complete with regards to testing information from the Department of Health. The premeeting ended at approximately 6:59 p.m.

Minutes

On Motion by Mr. Alexander, seconded by Mr. Rosenbaum the minutes of July 5, 2007 were approved amended. Ms. CitaraManis abstained from the vote. Vote: 3 Yea 0 Nay.

PUBLIC MEETING

Ms. CitaraManis opened the public meeting at approximately 7:10 p.m and announced that SDP-07-085, Mangione Family Enterprises was being removed from the agenda and would not be heard.

ZONING REGULATION AMENDMENTS

ZRA – 86 St. John Properties

Presented By: J. Robert Lalush
Petition: To amend Section 115: POR to admit additional uses in Paragraph B.2.1. Flex Space, provided the property abuts on a ramp of I-70.
DPZ Recommendation: Approval with Revisions
Petitioner's Representative: David Carney, Esquire

Mr. Lalush explained the request for a multiple tenant building and that the zoning regulation amendment is limited to three locations where property adjoins or abuts I-70. He also stated the Petitioner only had interest in one of the three properties outside of the PSA. Mr. Lalush stated that the Department found that flex space in POR was appropriate.

Mr. Rosenbaum questioned why the language did not include all of the POR zoning districts. Mr. Lalush explained that it would be best to have a test situation first in order to test compatibility issues.

Mr. Carney explained that the site was dynamic and the regulation amendment would allow the development of two one-story office buildings.

Mr. Richard Wilkinson of 5209 Bordeaux Cove, Sr. Vice-President of St. John Properties spoke in support of the amendment stating the difference between research development and flex space would be that flex space has a loading dock component in the back of the buildings.

Ms. CitaraManis asked if the loading component would be interior to the building. Mr. Wilkinson stated that the loading docks would be screened with brick walls and there would not be outside storage.

Mr. Frank Martin of 2911 Beaver Lake Court, spoke in opposition of the amendment stating his concerns regarding traffic issues.

Ms. Dawn Latimer of 13731 Barberry Way, spoke in opposition of the amendment stating her concerns regarding traffic congestion, lighting issues and semi truck traffic.

Mr. Marc Norman of 2617 Golf Island Road stated his concern that the amendment would be a “blanket” amendment.

Mr. Carney explained that the proposed buildings would be serviced via a service road. Mr. Wilkinson stated that large truck traffic would only be occasionally and not during peak hours.

Ms. CitaraManis questioned the size of the buildings and Mr. Wilkinson stated that the average tenant space would be 5,000 sq. ft. and that lighting would be directed down to the parking lot, not outward.

Motion:

Mr. Alexander moved to approve ZRA 86 as recommended by staff. Mr. Grabowski seconded the motion.

Discussion:

Mr. Alexander stated that flex space is compatible with POR.

Mr. Grabowski stated that the proposed building would be a good addition and would not cause a lot of additional traffic.

Mr. Rosenbaum stated his agreement with the Board members.

Ms. CitaraManis stated her agreement with Mr. Lalush that this would be a good test situation.

Vote:

4Yea. 0 Nay. The motion was carried.

ZRA-89 LDG, Inc.

Presented By:	Zan Koldewey
Petition:	To amend Section 117.1.B of the zoning regulations to add alternative road access requirements for the establishment of a BR district.
DPZ Recommendation:	Approval with Modification
Petitioner’s Representative:	Dave Carney, Esquire

Ms. Koldewey stated the request for the amendment was to allow for agricultural type businesses to serve rural residential communities. She explained that adding a provision regarding access points would eliminate the need for direct access and allow increased flexibility.

Ms. CitaraManis questioned how many parcels would be affected by the amendment. Ms. Koldewey stated that it would limited to the rural west and could affect properties on a local road but would still need to be located along a main arterial road.

Mr. Carney stated that the Petitioner was in agreement with the modified language.

Motion:

Mr. Grabowski moved to accept the Technical Staff Report with staff recommendations. Mr. Rosenbaum seconded the motion.

Discussion:

Mr. Grabowski stated that access is driving the language of the amendment.

Mr. Rosenbaum stated that the purpose of a BR district is to serve the needs of the rural community.

Ms. CitaraManis stated her agreement with the Board.

Mr. Alexander stated his agreement with the Board.

Vote:

4 Yea 0 Nay. The motion was carried.

FINAL DEVELOPMENT PLANS

FDP-Turf Valley PGCC District, Multi-Use Subdistrict 2nd Amendment. Mangione Family Enterprises of Turf Valley.

Presented By:	David Boellner
Petition:	For Planning Board approval of the 2 nd Amendment to the Turf Valley, Multi-Use Subdistrict Final Development Plan. The 2 nd Amendment revised the Final Development Plan map and criteria in accordance with the 4 th amendment to the Turf Valley Comprehensive Sketch Plan and revises the boundaries and areas of Pods I to S. The 529.15 acre site addressed by this Final Development is identified on Tax Map 16, Grid 17, Parcels 8, 50, 394, 401 and 445, in the Third Election District of Howard County, Maryland.
DPZ Recommendation:	Approval
Petitioner's Representative:	Richard Talkin, Esquire

Mr. Boellner explained that the FDP needed to be revised in order to comply with the approved Comprehensive Sketch Plan. He explained that the Planning Board would need to reserve the right to see the Site Development Plan.

Mr. Talkin entered into the record the approved 4th Amended Comprehensive Sketch Plan and he stated that the text criteria would stay the same.

Mr. Frank Martin of 2911 Beaver Lake Court asked the Board to reserve the right to see the site plan and stated his concern that approval not be granted due to possible soil contamination at the site.

Mr. Marc Norman speaking on behalf of REGION also asked the Board to reserve the right to see the site plan and stated that approval of the FDP should be delayed until testing could be done with regards to soil contamination.

Mr. Sam Mangione spoke on behalf of the Mangione family stated that he has listened to his family being attacked and that there was a great deal of misinformation and distortion concerning the development history of Turf Valley. He stated that his family consistently followed the rules for development and that soil testing had been completed and all but one site passed. He further stated that the issue of soil contamination had been addressed.

Mr. Alexander asked why the staff report did not refer to the Health Department. Mr. Boellner stated that the Health Department had not comments indicating an objection to the revised FDP.

Motion:

Mr. Grabowski moved to accept the FDP as written and that the Board would reserve the right to see the Site Development Plan.

Discussion:

Mr. Grabowski stated that the revisions put boundaries on the pods from the Comprehensive Sketch Plan. He further stated that there were other good issues raised, however they were not part of this process.

Mr. Rosenbaum stated his agreement with the Board and that other issues would come at the Site Development Plan stage.

Ms. CitaraManis stated that the revisions were consistent with the Comprehensive Sketch Plan already approved.

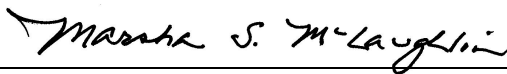
Vote:

4 Yea 0 Nay. The motion was carried.

SPECIAL SUBJECTS:

1. Planning Board's Rules of Procedure: **Motion:** Mr. Alexander moved to approve the Rules of Procedure and Mr. Grabowski seconded. Vote: 4 yea 0 Nay. The Rules of Procedure are effective September 20, 2007.
2. The Board had a public worksession regarding ZRA-90.

THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT APPROXIMATELY 8:45 P.M.



Marsha McLaughlin
Executive Secretary



Lisa Kenney
Recording Secretary